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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,581	10/31/2001	Andrew Caminschi	10011298-1	1909

7590   04/25/2006

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EXAMINER
MOORTHY, ARAVIND K

ART UNIT	PAPER NUMBER
2131	

DATE MAILED: 04/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/001,581	CAMINSCHI, ANDREW
	Examiner	Art Unit	
	Aravind K. Moorthy	2131	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **3** MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *06 February 2006*.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-28* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-28* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *31 October 2001* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

    1. ☐ Certified copies of the priority documents have been received.

    2. ☐ Certified copies of the priority documents have been received in Application No. _____.

    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This is in response to the arguments filed on 6 February 2006.

2. Claims 1-28 are pending in the application.

3. Claims 1-28 have been rejected.

Response to Arguments

4. Applicant's arguments filed 6 February 2006 have been fully considered but they are not persuasive.

On page 2, the applicant argues that Eliott does not teach retrieving and downloading a waveform as recited in claims 1-8 and 13-24.

The examiner respectfully disagrees. The examiner asserts that Eliott teaches a digital signal. The applicant has defined a waveform as digital data that is to be converted into an analog signal. The digital signal as taught by Eliott can be converted into an analog signal.

On page 3, the applicant argues that Eliot does not teach, "downloading said waveform to said signal generator under condition that said at least one code matches said at least one key".

The examiner respectfully disagrees. Eliott teaches that the digital signal is only downloaded only if the unique ID is authenticated. Eliott teaches that the unique ID is the key.

On page 3, the applicant argues that Eliott does not teach, "at least one key associated with said signal generator... [and] comparing said at least one code associated with said waveform and said at least one key".

The examiner respectfully disagrees. Eliott teaches that each device has a key associated with it. Authentication takes place when the unique ID is authenticated with the device key.

On pages 4 and 5, the applicant argues that Eliott does not teach "retrieving a waveform... and downloading said waveform... under condition that said at least one code matches said at least one key".

The examiner respectfully disagrees. Eliott teaches that the game is downloaded to the memory as long as the authentication is successful with the unique ID.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-8 and 13-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Eliott U.S. Patent No. 6,468,160 B2.**

As to claim 1, Eliott discloses a waveform customization method for a signal generator, comprising:

retrieving a waveform and at least one code associated with the waveform from a storage media [column 27 line 19 to column 28 line 56];

retrieving at least one key associated with the signal generator [column 27 line 19 to column 28 line 56];

comparing the at least one code associated with the waveform and the at least one key [column 27 line 19 to column 28 line 56]; and

downloading the waveform to the signal generator under condition that the

at least one code matches the at least one key [column 27 line 19 to column 28

line 56].

As to claims 2 and 14, Eliott discloses the method further comprising:

bundling the waveform and the at least one code associated with the

waveform into a file [column 29, lines 27-43]; and

storing the file containing the waveform and the at least one code

associated with the waveform in the storage media [column 29, lines 27-43].

As to claim 3, Eliott discloses the further comprising:

providing one or more parameters that characterize the waveform [column

30, lines 15-29]; and

creating the waveform based on the one or more parameters [column 30,

lines 15-29].

As to claim 4, Eliott discloses the further comprising:

providing one or more signal generator settings [column 29, lines 27-43];

bundling the one or more signal generator settings with the waveform and

the at least one code [column 29, lines 27-43]; and

configuring the signal generator using the one more signal generator

settings [column 29, lines 27-43].

As to claim 5, Eliott discloses that the steps of providing further comprises:

    entering at least one of the one or more parameters and the one or more

signal generator settings by a user into a computer that creates the waveform

[column 30 line 50 to column 31 line 18].

As to claim 6, Eliott discloses that the step of providing the one or more signal generator

settings further comprises:

    pre-configuring the one or more signal generator settings [column 30 line

50 to column 31 line 18]; and

    storing the one or more pre-configured signal generator settings on the

computer [column 30 line 50 to column 31 line 18].

As to claim 7, Eliott discloses that the file is encrypted, and further comprising:

    decrypting the file after the step of retrieving the waveform [column 29,

lines 47-58].

As to claim 8, Eliott discloses that the step of retrieving the at least one key further

comprises:

    retrieving the at least one key from the signal generator, the at least one

key being stored within the signal generator [column 29, lines 47-58].

As to claim 13, Eliott discloses a system customizing at least one waveform of a signal

generator, comprising:

    a storage media adapted to store a waveform and at least one code

associated with the waveform [column 27 line 19 to column 28 line 56]; and

a download application configured to retrieve the waveform and at least one key associated with the signal generator, compare the at least one code associated with the waveform and the at least one key and download the waveform to the signal generator under condition that the at least one code matches the at least one key [column 27 line 19 to column 28 line 56].

As to claim 15, Eliott discloses that the signal generation application is further configured to encrypt the file prior to storing the file in the storage media [column 27 line 19 to column 28 line 56]. Eliott discloses the download application being further configured to decrypt the file, as discussed above.

As to claim 16, Eliott discloses that the signal generation application is further configured to receive as input one or more parameters that characterize the waveform and create the waveform based on the one or more parameters [column 30 line 50 to column 31 line 18].

As to claim 17, Eliott discloses that the signal generation application is further configured to provide one or more signal generator settings and bundle the one or more signal generator settings with the waveform and the at least one code [column 29, lines 27-43]. Eliott discloses the download application being further configured to use the one or more signal generator settings to configure the signal generator [column 29, lines 27-43].

As to claim 18, Eliott discloses the method further comprising:

a computer having at least the signal generation application therein, the signal generation application further having an interface capable of receiving at least one of the one or more parameters and the one or more signal generator settings from a user of the computer [column 30 line 50 to column 31 line 18].

As to claim 19, Eliott discloses that the one or more signal generator settings are pre-configured and stored on the computer [column 30 line 50 to column 31 line 18].

As to claim 20, Eliott discloses that the computer further has the storage media and the download application therein [column 29, lines 6-17].

As to claim 21, Eliott discloses an additional computer having at least the download application therein [column 30, lines 31-39].

As to claim 22, Eliott discloses that the computer is operatively connected to the additional computer [column 7, lines 36-56].

As to claim 23, Eliott discloses that the computer is connected to the additional computer via a data network [column 28, lines 12-34].

As to claim 24, Eliott discloses that the at least one key is stored on the signal generator [column 27 line 19 to column 28 line 56].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. **Claims 9 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eliott**

U.S. Patent No. 6,468,160 B2 as applied to claims 1 and 13 above, and further in view of

Reitmeier et al U.S. Patent No. 6,560,285 B1.

As to claims 9 and 25, Eliott does not teach that the waveform is a signal modulated to

conform to one of a plurality of communication formats. Watt does not teach the signal

generator being capable of downloading and transmitting signals modulated to conform to any of

the plurality of communication formats, each of the plurality of communication formats having a

different one of the at least one code associated therewith.

Reitmeier et al teaches that a waveform is a signal modulated to conform to one of a

plurality of communication formats [column 5, lines 5-34]. Reitmeier et al teaches the signal

generator being capable of downloading and transmitting signals modulated to conform to any of

the plurality of communication formats, each of the plurality of communication formats having a

different one of the at least one code associated therewith [column 5, lines 5-34].

Therefore, it would have been obvious to a person having ordinary skill in the art at the

time the invention was made to have modified Eliott so that the waveform would have been

modulated to one of a plurality of communication formats. The signal generator would have

been capable of downloading and transmitting signals modulated to conform to any of the

plurality of communication formats, each of the plurality of communication formats would have

been a different one of the at least one code associated therewith.

It would have been obvious to a person having ordinary skill in the art at the time the

invention was made to have modified Eliott by the teaching of Reitmeier et al because it ensures

that the data will be in a format that the end user can decode [column 5, lines 5-34].

7.   Claims 10-12 and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Eliott U.S. Patent No. 6,468,160 B2 as applied to claims 1 and 13 above, and further in view

of Rajsuman et al U.S. Patent No. 5,963,566.

As to claims 10, 11, 26 and 27, Eliott does not teach requesting the waveform be

downloaded to the signal generator by an automatic test equipment system. Eliott does not teach

requesting an additional waveform be downloaded to an additional signal generator by the

automatic test equipment system.

Rajsuman et al teaches requesting the waveform be downloaded to the signal generator

by an automatic test equipment system [column 6, lines 25-37].   Rajsuman et al teaches

requesting an additional waveform be downloaded to an additional signal generator by the

automatic test equipment system [column 6, lines 25-37].

Therefore, it would have been obvious to a person having ordinary skill in the art at the

time the invention was made to have modified Eliott so that the waveform would have been

downloaded to the signal generator by an automatic test equipment system.   An additional

waveform would have been requested to be downloaded to an additional signal generator by the

automatic test equipment system.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Eliott by the teaching of Rajsuman et al because it greatly improves manufacturing throughput, reduces manufacturing costs, and significantly reduces design verification time during the developmental process [column 2, lines 9-17].

As to claims 12 and 28, Eliott teaches that the additional waveform is stored within an additional storage media [column 4, lines 14-24].

Conclusion

8.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K. Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aravind K Moorthy
April 20, 2006

CHRISTOPHER REVAK
PRIMARY EXAMINER